

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30032 of 2021**

Arising Out of PS. Case No.-152 Year-2020 Thana- BEERPUR District- Begusarai

RAMBALI YADAV S/O Late Ram Sagar Yadav Resident of Village -
Hamodih, P.S. - Birpur, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 25-01-2022 Heard learned counsel for the petitioner and

learned counsel for the informant as well as the learned

A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Birpur
P.S. Case No. 152 of 2020 registered for the offence under
Sections 147, 148, 341, 323, 324, 325, 326, 307, 504 and 506
of the Indian Penal Code.

The son of the informant is said to have been
assaulted by the petitioner and others by way of sword and
resultantly he sustained injuries.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. In fact, there is general and omnibus



allegation against the petitioner and no specific allegation of assault is attributed to him. As a matter of fact, the entire F.I.R. is a counter version of Birpur P.S. Case No. 155 of 2020. Moreover, the co-accused, namely, Chandan Yadav and others have already been granted bail by a co-ordinate Bench of this Court vide order dated 13.08.2021 passed in Cr. Misc. No. 30175 of 2021 and one another co-accused, namely, Chintu Kumar @ Sintu Kumar has also been granted bail by a co-ordinate Bench of this Court vide order dated 13.09.2021 passed in Cr. Misc. No. 26366 of 2021. The petitioner is rotting in judicial custody since 18.11.2020.

Learned counsel for the informant and learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-6th, Begusarai in connection with Birpur P.S. Case No. 152 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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